

FOR PARENTS AND GUARDIANS WHEN YOUR YOUTH’S BEHAVIOR BECOMES A CONCERN

RESPONSES TO QUESTIONS FREQUENTLY ASKED OF THE SAINT PAUL POLICE DEPARTMENT

Parents of adolescents sometimes struggle with their child’s challenging behaviors. Part of this is normal adolescent development; and part of it is our current adolescent culture with exposure to more violence in music, movies and television, video games, the convenience of drugs/alcohol in an age of cell phones, internet, cars and more money.

Many parents have expressed lack of knowledge when these difficult times occur. These educational materials were developed to provide general information to support parents. Specific situations should be addressed to your child’s teachers, healthcare provider, therapist, treatment program staff, or school liaison officer.

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Curfew

Ramsey County Curfew Hours are:
7 days a week
15 years and under—10 pm
16 – 17 years—midnight

Saint Paul's curfew is midnight for our 16 year old. My child says all their friend's parents have a 2 AM curfew. Can parents give permission for their child to stay out beyond the legal curfew?

NO! Parents can set their own curfew earlier than the legal curfew, but cannot give their child permission to break the law, stay out later than the legal curfew. If your child is with you, they can be out beyond midnight.

Runaway

To report your child as a runaway in Saint Paul call:
651-266-5612 8:00 am – 4:00 pm
651-266-5700 4:00 pm – 8:00 am

When you make the initial report be sure to ask for a case number.

**Every time your child returns home call the same numbers to report they are home.
Be sure to leave your case number and/or home address.**

When reporting your child as a runaway the Saint Paul Police Missing Persons officers will ask you for the following information:

- Full name, date of birth, height, and weight. This information is necessary to have your child's name entered into NCIC—the National Crime Inventory Center—national child runaway list.
- You will also be asked for: eye color; hair color; any scars; tattoo or birthmarks; condition of teeth, (i.e. braces, caps, crooked or straight), jewelry; body piercing; clothing description; personality type; where do they hang out; who are their friends—names and phone numbers if they have them; where do they go to school; do they have a job; are they drug/alcohol users; are they sexually active; are they in a gang; are they on probation, if so who is the probation officer; do they have a social worker, if so who is it; who did they run with; do they use MY.SPACE page?
- Do you know where your child is staying; if so get us a good address and or description of where they may be.
- Please tell us if your child has been in treatment, counseling or suicidal
- Current picture of your child
- Parent's current phone numbers: home, cell, work (If parents move, they need to call with updates.)

If your child is still missing after thirty days, a mail request will be sent out for dental records. If the parents do not respond to the letter, then a decision is made as to whether the case is kept open, based on the willingness of the parents to stay in contact with SPPD.

Parents cannot keep the report open after the child returns home, just in case s/he runs again. Parents must cancel the report every time the child returns, and file a new report if your child runs again. A parent cannot refuse to let the child into their home if the child comes in after curfew, then make a runaway report to cover for their actions.

What does it take to be legally considered a runaway youth?

In Minnesota, a runaway youth is legally defines as "...an unmarried child under the age of 18 years, who is absent from the home of a parent, guardian, or other lawful placement without the consent of the parent, guardian, or lawful custodian (M.S. 260C.007, Subd. 20)".

Do I have to wait 24 hours after my child has run to file a police report?

NO. Federal Law (SS 5780) prohibits any law enforcement agency within the State from establishing a waiting period before accepting a missing child / runaway-child report.

Will my child have a police record if I file a runaway report?

Most police departments keep juvenile records listing all contacts with a particular child. Juvenile records are confidential and cannot be shared with the public. Therefore, a juvenile police record will not affect a child's future employment, college, or military plans. Records may be released to other police agencies, the courts, or county social services agencies. Police departments often destroy the files when the child turns 19 years, the age at which juvenile court jurisdiction ends.

My child ran away while staying with his grandparents in another city. Do I still make the runaway report to Saint Paul Police? We think s/he will return to friends in Saint Paul?

Per Minnesota Statute (299C.565) the report must be made in the city where the child ran from. When the report is entered into NCIC SPPD will know your child is on run. If you have information your child is in Saint Paul, give us a call.

Do police really look for a runaway youth once a report is filed?

The Saint Paul Police Department's Missing Persons Unit actively looks for runaways, and they do assist the parents with information on how to get in contact with county and other agencies that provide assistance.

Once a police runaway report is filed, the youth's name and physical description are entered into a national computer listing the child as a runaway. If the child is located anywhere in the country, the child will likely be taken into custody by police and may be held until parents can be notified and can make arrangements to have the child returned home. Minnesota law allows only the use an unlocked shelter facility to hold runaway youth.

If your child is on run, it is also critical that you call the child's school daily to report the child truant and to advise staff that their child is a reported runaway.

These continued runaway reports help police recognize your child's behaviors as a serious problem. You should report your child as a runaway every day they are gone, and report every time they return. The more you report your child as a runaway, the more resources will be made available in finding your child, and getting you help. Sometimes it takes 20 – 30 runaway reports to activate delinquency charges in the courts

Since it is illegal for your child to be absent from your home or other lawful placement without your consent, it is important that you be law abiding by reporting the run away behaviors.

My child is seeing a psychiatrist for depression, and has talked of suicide. S/He has run way in the past, but has been found before they hurt themselves.If s/he runs out of the house again, what can I do?

Call 911, give all the background information you can to the dispatcher so they understand the urgency of the situation (i.e. child may be suicidal, has been hospitalized, etc).

If you can, follow your child in the car keeping the dispatcher informed were s/he is headed. When talking to the police, be honest in providing every piece of information to the officer, even if you feel embarrassed; feel you should protect your child's or family's reputation.

I know where my runaway child is. What should I do?

If you have located your runaway child, you may go to the location, pick up your child and take him or her home. Once the child is home, you should notify police so the runaway report can be cancelled.

If you are afraid your child will run from you or become violent, or you will be endangered in some way by attempting to get your child from a known address, notify police and ask for their assistance. Tell police why it may not be safe for you to go alone to get your child.

State law allows officers to take a child into custody when the child has run away from a parent, guardian or custodian, or when the peace officer reasonably believes the child has run away from a parent, guardian or custodian.

Unless police officers have reason to believe that a child's immediate health and welfare is at risk, they may NOT enter a premises without the owners permission to search for a runaway child. A search of property without owners consent requires a search warrant, which is not possible to obtain in most runaway cases.

What will police do with a runaway child they have in custody?

Once police locate a child, the child must either be returned to his/her parents or another suitable adult such as a relative.

I'm afraid my child will run from home again. Can the police take him/her to a locked setting such as a detention center or locked hospital program?

The Minnesota Department of Correction rules do not permit police to place runaway youth in a locked jail. Police may not place a child in a locked hospital setting simply because they have run away from home. If the child is seriously intoxicated or in crisis emotionally when taken into custody, police may take him/her to a detoxification or crisis intervention center, where the attending physician or other authorized staff will determine whether or not the child needs to be held temporarily for his/her own safety.

If the child's problems are such that the parents believe the child needs a secure setting for the safety of the child or others the child may harm, parents may be able to arrange to have the child admitted to a locked psychiatric/chemical dependency setting by working with their psychiatrist or other mental health or chemical dependency professional and their insurance company.

How does my child get referred to court for running away from home?

In Ramsey County to have a delinquency petition issued for your child you will need to document their behaviors over a period of time. Parents who wish to have court involvement should tell police that they would like a ticket issued to their child each time the child has legal contact with the police.

[Note addendum at end of packet on information to obtain to file a delinquency petition.]

What can be done to those who encourage a child to run or who harbor the child who has run from home?

The state law indicates that any person (other than social service agencies or outreach workers who provide services to runaway children), who by act, word or omission encourages, causes or contributes to the child's running is guilty of a gross misdemeanor (Minnesota Statute. 260C.425).

Unfortunately, this is a very difficult law to prosecute because it is hard to prove that someone encouraged or contributed to the child's running. Generally, such a charge requires that the child give a statement to police indicating that the person in question was aware of the child's status as a runaway and harbored or encouraged the child to continue the behavior. Most youths are not willing to provide police with this information.

What should I do if my child friend wants to stay at my home but I suspect he or she might be a runaway?

Most runaway children seek refuge with families of their friends. If your child has a friend who wants to stay with you, you might check with the child's parents to make sure they have given permission. A child under the age of 14 may stay in your home for up to 30 days and a child 14 years of age or older may stay with you indefinitely with permission of the child's parent/s. It is recommended you obtain a "power of attorney" in case you need to get medical care for the child.

If a child tells you that he/she has been abused or neglected at home or has been thrown out of the home and needs a place to stay, you can best assist the child and protect yourself from allegations of contributing or encouraging a child's illegal behavior by calling police. If the child is abused or neglected, the police will need to investigate the allegations and notify Child Protection. Police and Child Protection work together to assess and plan for the child's needs.

When my child says he/she is going to leave without permission or begins punching holes in our walls, can I restrain him/her to stop the violence in my home?

If a youth attempts to leave your home without permission you may use reasonable restraint. This means 1 or 2 adults holding a child until the situation is over or the child is willing to listen, calm down and/or negotiate. Parents don't always have to give in totally; they can compromise so youth gets a portion of what they want.

Sometimes in attempts to restrain a child bruises are caused. If this is the case professionals (counselors, teachers, medical personnel, etc) will be required to make a report to Child Protection. If parents respond to violence with violence, sometimes parent also receive charges, thus it may be best to call police—911. Let the dispatcher know what the child is doing, that you are afraid for them and of them, and if he/she is using any weapons, or high on drugs or alcohol.

Truancy

My child does not want to go to school. S/he skips several days a week even when I have driven them to the school building. Can I get in trouble for not having my child in school?

Not attending school is called truancy. Minnesota law dictates that children under 16 year of age must attend school. A parent or legal guardian is responsible to see that their child attends school. If a parent has concerns due to their child refusing to attend school, they should contact the Saint Paul Public School's TIP (Truancy Intervention Program) Line at 651-265-0900. TIP is collaboration between Saint Paul Schools and the Ramsey County Attorney's office to address the problems of truancy for all students ages 12 – 17. In the same office the FTIP—Family Truancy Intervention Program addresses educational neglect for children under the age of 12.

Legally a child who misses seven days of school or seven class periods on seven different days is a habitual truant. The county attorneys' office will then address this legal issue with the parent and the student.

Can police arrest my child for being on the street and not in school?

Police officers are responsible to enforce the truancy laws when school is in session. If police pick up your child they will issue a truancy citation and then return them to their school. Each individual school monitors their students' truancy data.

What is the legal age a child can drop out of school?

A 16 or 17 year old child may withdraw from school AFTER both the child and the parent attend a meeting with school personnel. Then both must sign a written election withdrawal form. If a parent does not want their child to drop out of school, they may choose not to sign the form. A child cannot withdraw from school without their parent's permission.

Drug and Alcohol Use

I am afraid my children maybe using drugs. But, don't all teens experiment with drugs or alcohol?

No. It is a common myth among many teens and parents that all youth are using regularly. A November 2008 research study by the Minnesota Department of Health research indicates that the number of high school students that use weekly is much lower than other youth perceive.

What should I do if I catch my child drunk or high, and/or with alcohol or drugs?

When your child is sober sit her/him down, set rules about no illegal activity by anyone in your household including adolescent drug and alcohol use. If they continue to use taking them in for a chemical health assessment would be appropriate. Call your insurance company to get the number where you can go for an assessment. If you don't have insurance call Ramsey County Rule 25 at 651-266-4008.

How do I know when my child's use has moved from teenage experimentation to a potential problem? What would be signs of a drug or alcohol problem?

Some signs to be look for that are indicators of youth drugs or alcohol are:

- Loss of or change of positive friends
- Attitude changes, blaming others for their problems
- Drop in grades and poor quality work effort
- Lack of attention and focus
- Withdrawn from family and old friends
- Memory problems
- Secretive behaviors
- Mood swings, sensitive to noise
- Interest in different music
- Unexplained money or new clothes or other items (CDs I pod, cell phones, etc)
- Over-reactive to criticism
- Inability to sleep or insomnia
- Change in eating habits
- Change in hygiene
- Increased verbal and/or physical violence
- Accident prone, or uncommon illness

I smoked marijuana when I was a youth. So what is the big deal?

Today's strain of marijuana have been developed with increased levels of THC—the chemical agent that makes one high. What you smoked in your youth is not the same chemical as your child is smoking today. The strength of the THC is much more addictive and can cause your child more serious problems.

My child goes to parties every weekend and I know they are using drugs and alcohol. Isn't this just what teenagers do? Should I be concerned?

Using drugs and alcohol is a crime for teenagers. More criminal behavior and risky sexual behavior happens when people are high on drugs or alcohol.

Weekend use can progress to use weekdays use. When teens use drugs and alcohol eventually school grades drop, school truancy may develop, and criminal activity may begin to get monies to obtain drugs. Do you want you child exposed to this risk?

When you pretend you don't know your child is using, a teen often interprets this as passive approval of their use.

If I give my child a UAs—Urine Analysis will I know for sure if s/he has been using?

The simple answer is NO. A urine analysis identifies the use of some drugs; it will identify the use of some drugs for only 3 days; some drugs and alcohol only show up for a few hours, and some do not show up at all in a UA. A UA is a tool to assist in identifying possible use, but it is not fool proof. There are ways to pass a UA even if a person is still

using. Parents are encouraged to watch for using behaviors, and mood instead of trusting UAs.

I realize my child has been using regularly, how do I get my child into treatment?

Contact your insurance company to find out where you can take your child for a chemical health assessment. Schedule an appointment for an outpatient assessment. It is helpful if you bring in your notes on your child's behaviors including: why you suspect their use, any evidence they have been using, what substance you believe they have been using, legal issues, and using behaviors (as listed above).

If your child isn't honest with the assessor, they are resistant to getting an assessment, or if there is a crisis where your child is high/drunk and you need immediate intervention you may need to bring your child in for a multi-day assessment. The University of Minnesota Medical Center—Fairview—Riverside campus has a locked Comprehensive Assessment Program (intake: 612-672-6600).

If my child comes home drunk should I just put him/her to bed to sleep it off and deal with it the next day?

Any drunk person may vomit. If they are unconscious and turned to lie on their back there is the potential that they aspirate (inhale into the lungs) the vomit. This can cause death. Close monitoring or medical consultation at a detox center, or an emergency room may be necessary. In the last few years there have been many media reports of teens dying of alcohol poisoning.

I found several package of cold medication in my child's room, is this something to be concerned about?

Over the counter cough and cold medications like: Coricidin Cough and Cold, Vicks Formula 44 and Robitussin, Benylin DM, Pertussin) contain dextromethorphan (DXM).

Dextromethorphan is a cough-suppressing ingredient found in a variety of over-the-counter cold and cough medications. When used as intended for cough suppression, typical dosages run about 10 to 20mg. every 4 hours or 30mg every 6 to 8 hours, and are extremely safe and very effective in addressing cold symptoms. DXM, is one of the few over-the-counter medicines with serious recreational use/abuse potential. When used recreationally, dosages are generally much higher, in the range of 250 to 1500 mg. taken as a single dose. The method of use varies as the drug is available over-the-counter in capsules, lozenges, tablets, oral suspension and cough syrup.

Used recreationally, it is referred to as "Robo", "X" or "rome". Large doses in the range of 250 to 1500 mg are known to cause euphoric and hallucinatory effects. There is a fine line between a dose causing pleasant effects and one that may cause negative effects ranging from mildly unpleasant--skin irritation, shortness of breath, dizziness, temporary sexual dysfunction, nausea and hangovers--to more serious ones like coma, brain damage, liver damage, respiratory distress and death. Generally, the more serious side effects are a result of combining DXM with alcohol and other drugs. An overdose of DXM or DXM with acetaminophen/Tylenol, as in Coricidin Cough and Cold can cause liver damage and may be fatal.

My child is 16 and has begun smoking cigarettes; s/he says the police don't care. Can s/he get in trouble for this?

It is against the law for anyone under the age of 18 years to purchase, possess, or use tobacco products. Saint Paul Police enforce these tobacco laws. A first citation may be a referral to a diversion program. Second and further citations may be sent to the county attorney where they will have to go to court and be required to pay a fine, attend a class or other consequences. Parents are always encouraged to have their child pay their own fines and be responsible for their own consequences.

My child continues to use, will not follow my rules, continues to runaway, and sometimes becomes violent, What can I do?

As your child's negative behavior has progressed, legal involvement may be the only way to get their attention. For this to happen you may need to initiate a process of holding them accountable and involve police, treatment counselor, therapist, and school staff. The more active you are in making police reports for violent (braking things, throwing things, fists through walls) or threatening behaviors, and school truancy reports, taking them in for treatment; the more services will become available for your child. This is a process in reporting and reporting, and reporting.

As hard as it may be to call the police on your child, it is important to report them every time they run away (are absent from your home or other lawful placement without your expressed the consent). And, when they return home, call to report that as well. This may feel repetitive, but each initial report, and return home-report is necessary for police procedure to be effective. This will enable you child to be eligible for more services, or court involvement.

Taking your child in for a chemical health assessment and returning them to treatment is also part of the process in getting help with your child.

A police domestic violence report should be made immediately (call 911) if your child is doing acts of violence to anyone in the family or themselves and safety is a concern. Or if your child is making verbal threats where someone is afraid, a police report should be made immediately (call 911). When the officers arrive, parents can respectfully request that the officer make an arrest if safety is a concern. To help officers, give them full details about your child's behavior problems history that may include:

- Chemical dependency and/or mental health treatment history, drugs/alcohol using
- School truancy history (they should be in school all day, every school day), if your child has an IEP, history of problems in school
- Police calls and/or tickets issued
- Focus on reporting your child behavior

By making a report, you are beginning a documented paper trail which could be needed later on with other agencies to get more help for your child.

Remember parents have rights and responsibilities, you have a responsibility to get your child help (treatment or legal consequences) when they are using drugs/alcohol and demonstrating out of control behaviors. Parents are expected to set reasonable limits and hold youth to them; failure to do so is neglect.

Parent's Rights and Responsibilities

My child ignores the rules in my home, saying they are old fashioned and s/he does not have to follow them.

Parents have the rights and responsibilities. Parents are the authority in their home to set reasonable rules for all ages of youth living in their home. With teens it is wise to include them in a discussion of what rules there will be and what will happen if the rules are broken.

Parent's rules and rights may include:

- Setting a reasonable curfew depending on the age of the youth and their specific circumstances (a youth in or just after chemical dependency treatment should have an earlier curfew than a youth not using drugs or alcohol).
- Expecting youth to contribute to the household by helping with chores appropriate to the age of the youth.
- Who can be invited into your home and when.
- Looking in your child's room if you suspect they may have drugs/alcohol, or weapons.
- Appropriate consequences/discipline. Physical discipline is discouraged. In Minnesota it is against the law to leave a bruise on a child (black and blue mark or welt) when disciplining.
- Grounding as a consequence for inappropriate behaviors.
- Taking away driving the car privileges for inappropriate behaviors (even if they paid for it).
- If an older child purchase an ipod, cel phone, TV or other item—it is your right to confiscate (take) them as an act of discipline (even if they paid for it).

Resources:

- Hazelden pamphlet Lets Talk, Communicating with Your Teen In Recovery and When Your Teen Is In Treatment, A Guide For Parents. 800-328-4000 <http://www.hazelden.org>

RUNAWAY LAWS

(Minnesota Statute 260C.007, Subd. 28)

An unmarried child who is under the age of 18 years and who is absent from the home of parent or other lawful placement without the consent of the parent, guardian, or lawful placement without permission from their parents or fail to return home at the time specified by their parents, fits the legal definition of a runaway youth.

Once a parent or interested party has filed a runaway report with police, the name of their runaway child is entered into a national computer—NCIC—the National Crime Inventory Center—national child runaway list. That means police in every state can check names of children on the national data base to see if a youth is a runaway. If police officers determine that a youth is a runaway, they will take the youth into custody until they can locate a parent.

A missing person report must be made in the city the youth runs from. *(Minnesota Statute (299C.565.*

Police in Minnesota may release runaway youth to their parents, to another suitable adult, or to an unlocked shelter care facility. (Other states may have different rules about holding and releasing runaway youth.) Saint Paul youth do not usually appear in court the first time they receive a citation.

A police officer may issues a citation (ticket) to a runaway youth. This will require that the youth and his or her parents appear before a judge in Juvenile Court.

If a judge finds the youth to be guilty of running, the judge may:

- order the child to remain at home with parents;
- place the child under the supervision of a county social worker;
- place the child in a group home or foster home;
- transfer custody of the child to another person of good moral character;
- require the child to pay a fine of up to \$100;
- require the child to participate in a community service project;
- order a chemical dependency evaluation or other counseling; and/or
- cancel the child's driver's license until the child's 18th birthday.

Any person who encourages, causes, or helps a child to run from home is guilty of a gross misdemeanor *(Minnesota Statute. 260C.425)*, or a felony if it can be proven the person knowingly deprived the parent of their child. (An adult who commits a gross misdemeanor could receive up to a \$3000 fine and up to a year confinement.)

SCHOOL ATTENDANCE

Saint Paul Police officers enforce truancy laws because of the importance of education for all youth.

- ⇒ A child under 16 year of age must attend school *(Minnesota statute 102A.22, Subd 5)* A child 16 and 17 years of age can not drop out of school with out the permission of their parent needs to sign a form for *election to withdraw* *(Minnesota Statute (120A.22, Subd, 8).*
- ⇒ A child who is truant may be taken into custody by police *(Minnesota Statute 260C.143. 4).*
- ⇒ A juvenile who misses seven days of school or seven class periods on seven different days without lawful excuse can be charged as a "Habitual Truant" under the CHIPS (Children in Need of Protection or Services) Court *(Minnesota Statute 260.007, Subd15)*
- ⇒ *Under Minnesota Statute 120A.22, Subd. 1*, it is the responsibility of parents or guardians to assure that their children acquire knowledge and skills that are essential for effective citizenship.
- ⇒ A parent who contributes to a child's truancy from school may be charged with a misdemeanor under *Minnesota Statute 260.335* that is punishable by a fine.
- ⇒ A child is "educationally neglected" if the child is absent from school due to the failure of the parent to get the child to school *(Minnesota Statute 260C.163, Subd.11).*

When police pick up a child who is truant, the child will likely be transported to school, and parents will be called.

Business owners are encouraged to call 911 and report youth that appear to be less than 18 years of age and who are in their establishments during the day.

A youth who is suspended from school can not be on the streets during the school hours. They are to be home while under school suspension.

Parents should work with the school in filing truancy reports and having child referred to Saint Paul's Truancy Intervention Program—TIP.

ALCOHOL LAWS

(Minnesota Juvenile code 260B.007, Subd. 16-17

Minnesota Statue 340A.503)

Consumption or Possession of Alcohol by a Minor

It is against the law for anyone under the age of 21 years to purchase, consume, possess, or misrepresent their age in order to purchase alcoholic beverages. The first citation may result in both a fine and attendance at a health education seminar; the second generally requires a court appearance.

Persons under 21 year of age may consume alcoholic beverages in the household of their parents or guardians with the consent of their parent or guardian (Minnesota Statue *Subd. 1a, {2}*).

It is unlawful for any business selling liquor to permit a person under the age of 21 to drink alcoholic beverages in their establishment (Minnesota Statue *Subd. 1a {1}*). This is a misdemeanor punishable by up to 90 days in jail and a \$700 fine.

Sale of Alcoholic Beverages to a Minor.

It is unlawful for a person to sell, barter, furnish, or give alcoholic beverages to a person under 21 year of age (Minnesota Statue *Subd. 2, {1}*). This is a Gross Misdemeanor punishable by up to a year in jail and a \$3000 fine (Minnesota Statue 340A. 702)

School Notification:

When a student has contact with police due to alcohol offenses, police must notify the student's school of contact with law enforcement (Minnesota Statue 121A.28).

MARIJUANA LAWS

(Minnesota Statue 152.027)

It is against the law for anyone to sell, purchase, use, or possess marijuana. Possession or sale of a small amount (42.5 grams or less) is considered a petty misdemeanor.

It is a misdemeanor to possess more than 1.4 grams of marijuana in a motor vehicle.

It is against the law to possess drug paraphernalia if the paraphernalia has been used and has residue on it from illegal drugs.

A person under 18 years of age who receives a citation for any of the above offenses will probably have to appear in juvenile court. The court may impose a fine; require a chemical dependency evaluation, order counseling, or other consequences.

School Notification:

When a student has contact with police due to a drug offense, police must notify the student's school of contact with law enforcement (Minnesota Statue 121A.28).

TOBACCO LAWS

(Minnesota Juvenile Code 260B.007, Subd. 16)

(Minnesota Statute 609.685)

It is against the law for anyone under the age of 18 years to purchase, possess, or use tobacco products. Some police jurisdictions may divert a first-time offender from Juvenile Court and offer the youth voluntary attendance at four-hour tobacco Education Group plus \$5 for handouts. If the youth is not diverted and a citation to Juvenile Court is issued, a first-time offender generally receives either a \$50 fine or a \$30 fine plus required attendance at a four-hour seminar on health. A second citation may result in a fine of \$75 to \$100 depending on prior record; a third citation will likely require a court appearance.

As of August 1, 1997, youth who commit a second tobacco offense may lose their driver's license or be unable to apply for a driver's license for up to a year (M.S. 260B.235, Subd. 5b). Youth who use their driver's license, permit, or Minnesota I.D. to purchase tobacco may lose the license for 90 days. (M.S. 171.171, 3).

A person who lends a driver's license to another who then tries to buy tobacco may lose their license for 90 days (M.S. 171.171, 4)

The law does *not* allow parents to give their children permission to use tobacco products. It is a misdemeanor punishable by up to a \$700 fine and 90 days in jail for anyone to furnish tobacco to a person under the age of 18 years (M.S. 609.685, Subd. 2). However, an Indian may furnish tobacco to an Indian under the age of 18 years if the tobacco is furnished as part of a traditional Indian spiritual or cultural ceremony (M.S. 609.685, Subd. 5).

Sale of Tobacco to Children

It is unlawful to sell tobacco to a person under the age of 18 years. This is a Misdemeanor punishable by up to 90 days in jail and a \$1,000 fine (*Minnesota Statute 609.685, Subd. 1a*).

EMANCIPATION

(Definition: To release from parental care and responsibility.)

People under 18 years of age often ask, "Is there a legal way that I can live on my own and be free from the control of my parents?" Parents sometimes wonder if they can sign a paper that will make their child an adult in the eyes of the law thereby relieving them of the legal responsibility for a child whom is beyond their control.

There is no legal emancipation procedure in the state of Minnesota except marriage. (Juveniles 16 or 17 years of age may marry with consent of their parents, guardian, or the court when the marriage license application has been approved by the judge of juvenile court of county in which the person lives (*Minnesota Statute 517.02*)). Juveniles must reach the age of 18 years to be legally on their own and released from parental care and responsibility.

However, in Minnesota, many older youth (16 and 17 years old) live on their own with permission from their parents and in most cases, no one intervenes to prevent it. Parents will likely be called if the child appears at a hospital and is in need of medical care or if the child is taken into custody by police for a law violation.

There is a provision in the Minnesota Statutes that addresses emancipation. It provides that if a youth is under the jurisdiction of the juvenile CHIPS (Children in Need of Protection or Services) Court, the Court may allow the youth to live independently or with others under supervision that the Court considers appropriate (*Minnesota Statute. 260C.201, Subd. 1, 4*). However, this provision does not necessarily relieve parents of complete responsibility for their child and the child may have to be accountable to the court for their actions.

CURFEW LAWS

Ramsey County

**15 years and younger home by 10 pm
16 – 17 years home by midnight
7 days a week**

Legal Curfew in surrounding counties:

HENNEPIN COUNTY:

Under 12 – Sunday – Thursday – Home by 9:00 pm
Friday – Saturday – Home by 10:00 pm
Age 12 – 14 – Sunday – Thursday – Home by 10:00 pm
Friday – Saturday – Home by 11:00 pm
Age 15 – 17 – Sunday – Thursday – Home by 11:00 pm
Friday – Saturday – Home by midnight

DAKOTA COUNTY

It is unlawful to be present in any public place within Dakota County the following hours:

Under 12: 9:00 pm – 05:00 Monday – Thursday
10:00 pm – 05:00 Friday – Saturday
Age 12 – 14 10:00 pm – 05:00 Monday – Thursday
11:00 pm – 05:00 Friday – Saturday
Age 15 – 17 11:00 pm – 05:00 Monday – Thursday
Midnight – 05:00 Saturday – Sunday

WASHINGTON COUNTY

Ordinances varies by city

ANOKA COUNTY

Ordinances varies by city

Information needed for consideration in filing a DELINQUENCY PETITION in Ramsey County:

Information should typed in a clear easily understandable manner

- Youth's Name
- Date of Birth
- Social Security Number
- Address
- Other parent's address
- If appropriate Citizenship Petition number
- Parent's Names
- Parents' Social Security Number
- ALL Family members and ages
- School, Grade, teacher or contact person
 - Your child should be in school all day, every school day. Every day, or part of a day they are absent they are truant. Provide a list of the number of times truant from school and dates, or approximate dates.
 - List all behavior problems in school (Examples could include: disrespect toward staff or students, sexual harassment, not completing home work, fighting, talking in class, not respectful to teachers or other students, not following rules, stealing, bullying, caught with drugs or other drug related item, writing gang signs, caught with a weapon.
- List all dates coming home after legal curfew
- List all dates away from home all night
- Behavior Problems at home (examples may include: verbal abuse, fighting, not following rules, not helping with household responsibilities—chores, verbal or physical violence, swearing, threats, having friends in the house without permission, stealing , using the car without permission.
- List all contacts with the police your child has had, including arrests or tickets issued.
- Report any gang involvement or association.
- Youth's Employment, address, phone number.
 - Previous employers and approximate dates of termination.
- Programs youth is involved in.
- Activities the youth is involved in.

After this information is documented in a clear typed manner,
contact Vic Ellingson (651-266-5320) of Ramsey County to schedule an appointment for
consideration in filling a delinquency petition.